

GEORGIA STATE BOARD OF OPTOMETRY
Board Meeting
Professional Licensing Boards
237 Coliseum Drive, Macon, GA 31217
April 28, 2010

INVESTIGATIVE INTERVIEWS

OPT100006 Interview conducted

OPT100012 Interview conducted with Dr. B. via conference call.

OPEN SESSION

BOARD MEMBERS PRESENT

Dr. H. Kemp Jones, President
Dr. Kay Royal
Dr. Dudley Christie
Dr. Robert McCullough
Betty Ann Lindsey

STAFF MEMBERS PRESENT

Wylencia Moore, Assistant Attorney General
Lisa Durden, Executive Director
Carol White, Board Support Specialist

President H. Kemp Jones established a quorum and called the meeting to order at 10:15 a.m.

Approval of the minutes from the January 15, 2010 Board meeting. Dr. Christie made a motion to approve the Board minutes. Dr. Royal seconded the motion and it carried unanimously

Approval of the minutes from the February 9, 2010 Conference Call Board meeting. Dr. Royal made a motion to approve the Board minutes. Ms. Lindsey seconded the motion and it carried unanimously.

Approval of the minutes from the February 23, 2010 Conference Call Board meeting. Dr. Royal made a motion to approve the Board minutes. Dr. McCullough seconded the motion and it carried unanimously.

Licenses to ratify. Dr. Royal made a motion to approve. Dr. Christie seconded the motion and it carried unanimously.

Rule Waiver request from Andrea Loiselle, O.D. regarding Board Rule 430-2-.04. Dr. Royal made a motion to request Dr. Loiselle provide the required CE's to the Board within ten days or the Board will place her license on Inactive status. Dr. Christie seconded the motion and it carried unanimously.

Correspondence from Clinton Anderson, O.D. regarding ARBO. The Board viewed as informational.

Correspondence from Martha Greenberg of the Alabama State Board of Optometry regarding the state board exam. Dr. Christie made a motion to send a copy of the exam to Dr. Fred Wallace with the Alabama State Board. Dr. Royal seconded the motion and it carried unanimously.

Rule Waiver request from Dr. Walter Krickich regarding Board Rule 430-2-.04(5). Dr. Royal made a motion to approve. Dr. Christie seconded the motion and it carried unanimously.

Rule Waiver request from Dr. David Saliba regarding board Rule 430-2-.04(5)(a-d). Dr. Royal made a motion to approve. Dr. Christie seconded the motion and it carried unanimously.

The Board discussed the ARBO workshop on June 13, 2010. Dr. Christie or Dr. McCullough may be able to attend the workshop.

EXECUTIVE SESSION

Request from Dr. K.P. to voluntarily surrender his license. Dr. Royal made a motion for the Board to allow him to withdraw his renewal application and let his license lapse rather than doing a voluntary surrender which would be a Board Sanction. Ms. Lindsey seconded the motion and it carried unanimously.

Applications

1. E.L.C. – Endorsement Application – Dr. Royal made a motion to approve. Dr. Christie seconded the motion and it carried unanimously.
2. D.A.P. – Reinstatement Applicant – Dr. Royal made a motion to approve. Dr. Christie seconded the motion and it carried unanimously.

Cognizant Report – Dr. Dudley Christie

OPT070025 – Directed sending case file back to Investigations to see if respondent is practicing optometry and seeing patients.

OPT100002 – Close

OPT100013 – Close

OPT100016 – Close

OPT100019 – Close

OPT100006 Interview conducted The Board voted to refer to Attorney General's office for a consent order with a \$15,500.00 fine. The Board further requested that the staff contact the Complaint to see if he can provide a list of the 31 patients treated and to flag the file for the unlicensed individual to not allow additional licensure consideration. .

OPT100012 Interview conducted with Dr. B. via conference call. The Board voted to refer the case to the insurance commissioner and request that the respondent's attorney send additional information explaining what services are provided to the patient once payment is tendered.

Attorney General's Report - Ms. Wylencia Monroe

- Ms. Wylencia Hood Monroe, SAAG, provided a status report, which included information on any cases referred for action, request for advice and/or requests for authority for proposed rules.
- Ms. Wylencia Hood Monroe, SAAG, stated that she has received regular compliance reports from Dr. Forth.
- Ms. Wylencia Hood Monroe, SAAG, presented for acceptance a copy of a signed Public Consent Order on Warren Sonnenberg. Dr. Royal made a motion to table accepting the signed Consent Order until Ms. Monroe can send another Consent Order to Warren Sonnenberg regarding his CE issue. Dr. Christie seconded the motion and it carried unanimously.
- Ms. Wylencia Hood Monroe, SAAG shared with the Board OPT070003 has been closed.

Regarding the OE tracker issues, the Board referred all those in violation of not having CE to the AG's office with the following sanction:

1. For those who were short CE hours and who were licensed in 2008 get the following sanctions:
 - a. If accrued 0-12 hours - \$2000 fine and double CE within 6 months.
 - b. If accrued 13-17 hours - \$500 fine and double CE within 6 months.
 - c. If only missing jurisprudence - \$500 fine and take jurisprudence within 6 months.
2. If licensed in 2009, NO CE is required.
3. For those licensed prior to 2008 who are not exempt due to age, the following sanctions apply:
 - a. If accrued 0-20 hours, \$5000 fine and double the CE lacking within 6 months.
 - b. If accrued 21-29 hours, \$2000 fine and double the CE lacking within 6 months.
 - c. If accrued 31-35 hours, \$500 fine and double the CE lacking within 6 months.

- d. If short only jurisprudence, \$500 fine and take the jurisprudence within 6 months.
- 4. For those receiving sanctions requiring them to get the double CE within 6 months, none of the CE required for these Consent Orders will count toward the current biennium requirements for CE.
- 5. If someone is currently on probation, they want to give more serious sanctions for the lack of CE - \$2000 fine and double the CE within 6 months.

Meeting adjourned at 12:20 p.m.

H. Kemp Jones, President
Georgia State Board of Optometry

Date

Lisa Durden, Executive Director
Professional Licensing Boards Division

Date